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8/049/003

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CERTIFIED MAIL NO. 7001 2510 0007 5313 7031
DIV. OF OIL, GAS & MINING
RETURN RECEIPT REQUESTED

ASSUMPTION OF LIABILITY CERTIFICATE

Obligee: UTAH DEPT. OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING
1594 W. NO. TEMPLE, STE. 1210
BOX 145801
SALT LAKE CITY, UT 84114-5801

Principal: INTERSTATE BRICK COMPANY
(Black Shale)

Effective March 31, 2005 this certificate assumes liability on Bond Number _____ executed and previously filed by National Fire Insurance Company, hereinafter referred to as the Company, in favor of the above-named Obligee.

This certifies that, in consideration of the agreements and covenants herein contained and other good and valuable consideration, Western Surety Company hereby assumes liability as surety under the above-described bond.

By issuance of this Certificate, it is agreed:

1. That liability of Western Surety Company under said bond (a) shall be subject to all of the terms, conditions, limitations and warranties contained in said bond and any amendment thereto or agreement between the Obligee and the Company affecting the same; and (b) shall in no event be greater than would have been the liability of the Company had this Certificate not been issued.
2. That all rights of the Company, which would have been available to the Company, by reason of its suretyship under the aforementioned bond, or otherwise, if this Certificate had not been executed, shall inure to the benefit of and be fully enforceable by Western Surety Company.
3. Signed and dated this 12th day of January, 2005.

Western Surety Company

By: Judy L. Maxwell
Judy L. Maxwell, Attorney-in-fact